



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,691	09/28/2005	Mario Villena	Homexperts-691	9142

7590 08/28/2009
Attn: William Kennedy
Homexperts
Suite 401
10700 N Kendall Dr.
Miami, FL 33176

EXAMINER

RUHL, DENNIS WILLIAM

ART UNIT	PAPER NUMBER
----------	--------------

3689

MAIL DATE	DELIVERY MODE
-----------	---------------

08/28/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1. The reply filed on 4/8/08 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Applicant has failed to address the double patenting rejections. Applicant has stated that the new claims are not subject to the double patenting rejections, but also states that applicant will make the proper disclaimers or amendments after a notice of allowance. Applicant must present arguments that traverse the double patenting rejections, or at a minimum applicant must at least explain why the new claims are not considered to be obvious variations of what is claimed in the other copending applications mentioned by the examiner. Applicant has not presented a proper traversal. Also, applicant is not entitled to simply address the double patenting after allowable subject matter is noted by way of further amendments. The comment that applicant feels that they can make amendments after a notice of allowance appears to be a recognition that the claims likely contain double patenting issues. To expedite prosecution, the examiner is requesting that applicant either traverse the rejection on the merits with respect to the newly added claims and explain why there is no longer any double patenting, or submit appropriate Terminal disclaimers to moot the issue. Applicant's failure to address the double patenting is seen as rendering the response non-responsive.

2. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to

Art Unit: 3689

avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Ruhl whose telephone number is 571-272-6808. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on 571-272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis Ruhl/
Primary Examiner, Art Unit 3689